

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11-CR-00336-RJC

USA )  
 )  
v. ) ORDER  
 )  
ANTONIO MOSLEY )  
 )

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**THIS MATTER** is before the Court upon motions of the defendant pro se, (Doc. Nos. 121, 130, 137), to reconsider, pursuant to Rule 60(b) of the Federal Rules of Civil Procedure, an Order, (Doc. No. 97), allowing for the return of a cell phone seized by law enforcement.

The gravamen of the defendant's complaint is that he desired for law enforcement to mail the phone to his designee, where the Order directed the designee to make arrangements to take custody of the phone from the Charlotte Mecklenburg Police Department within 30 days of the Order's issuance or it would be considered abandoned property. (Compare Doc. No. 121: Motion at 5 with Doc. No. 97: Order at 1). However, Rule 60(b) of the Federal Rules of Civil Procedure does not provide a way to challenge judgment in a criminal case. United States v. Jones, 730 F. App'x 172 (4th Cir. 2018).

**IT IS, THEREFORE, ORDERED** that the defendant's motions, (Doc. No. 121, 130, 137), are **DISMISSED**.

The Clerk is directed to certify copies of this Order to the defendant and the United States Attorney.

Signed: August 29, 2018

  
Robert J. Conrad, Jr.  
United States District Judge